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LB 748

Friend. Senator Smith.

SENATOR SMITH: Thank you, Mr. President and members. As I look at LB 748 and try to study the issues, I acknowledge the fact that Senator Friend has brought up, that we have monopolies throughout the state, even within the private sector. I acknowledge that. Now, there is, however, more risk associated on the part of the private sector across most of Nebraska than MUD has in Omaha. MUD enjoys the wall that keeps other people out, other entities out. But yet, they...this is my sense of it, that MUD wants to grow out into other areas, in the name of being viable and maintaining viability in the long run and maintaining low rates. And that's probably the case. But again, they have some luxuries within their structure that other entities do not enjoy. That concerns me a great deal. I know that there are accusations of cherry-picking. I mean, everyone looks to go gain the best customers possible. But I think back of my first year or two in the Legislature, when LB 78 was an issue. And I thought we had arrived at a conclusion that LB 78 was good. We can address the issues that Senator Landis just mentioned, that LB 78 addressed, with the double piping, whether it's public safety or urban growth. We must do something. And I must say that I'm a little frustrated by this entire process that seems to be an impasse. And perhaps I'm not as frustrated as an Urban Affairs Committee member, Senator Friend. But it's frustrating to see the impasse that we currently are facing, because I think that we could arrive at something where the Public Service Commission has greater scope, at least. I don't buy the fact that MUD should want to resist regulation by the PSC because they have an elected board. Even if they have an elected board, if they seek to grow outside of their boundary, they should fall under the same regulations as anyone else. And that may apply to a municipal, as well. I think that is reasonable. And I hope that we can move in that direction. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Smith. Senator Schimek, followed by Senator Redfield.

SENATOR SCHIMEK: Thank you, Mr. President, members. Senator Smith, you provided me with a nice segue into what I wanted to